IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO. 187 OF 2006
IN
SUIT NO. 5496 OF 1999

Smt. Jyotsna B. Shah & Ors. ..Plaintiffs/ Applicants

versus

Essential Power Transmission Pvt. Ltd. ..Defendants/ Respondents

AND
CHAMBER SUMMONS NO. 188 OF 2006
IN
SUIT NO. 5497 OF 1999

Smt. Jyotsna B. Shah & Ors. ..Plaintiffs/ Applicants

versus

Jaimpex Geams Pvt. Ltd. ..Defendants/ Respondents

AND
CHAMBER SUMMONS NO. 189 OF 2006
IN
SUIT NO. 5498 OF 1999

Smt. Jyotsna B. Shah & Ors. ..Plaintiffs/ Applicants

versus

Essential Power Transmission Pvt. Ltd. ..Defendants/ Respondents

Mr. L. H. Rambhia for the Plaintiffs.
Ms. Devyani Wanjara i/b. B. R. Oza for the Defendants.
Ms. Mamta Sadh for the State.

CORAM : S. J. VAZIFDAR, J.
DATE : 20TH FEBRUARY,2006

P.C. :

1. The Plaintiffs are permitted to proceed as

indigent persons. The plaintiffs are the widow and sons of the deceased who had a claim against the defendants.

2. The plaintiffs state that they are unable to adduce necessary evidence to prove the claim. They are also not in a position to conduct the above suits due to financial and other constraints. They therefore seek leave of this Court to compromise the suits for a sum of Rs.75,000/- in each suit.

3. Parties shall be at liberty to compromise the above suits for a sum of Rs.75,000/- in each suit. The same shall however be subject to payment of court fees. It shall not be necessary, however to pay the entire court fees and thereafter claim the refund. The Plaintiffs would be entitled to refund of 2/3rd of the Court fees.

4. In the circumstances, the Plaintiffs shall be liable to pay only 1/3rd of the court fees as would have been payable on the original claim on the date of the filing of the suit.

5. The above Chamber Summons are accordingly disposed of by permitting the Plaintiffs to withdraw the above three suits subject to the payment of court fees as aforesaid, as a condition precedent.

6. All concerned parties to act on an

authenticated copy of this Order.

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